

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In re)	
)	
MARITIME COMMUNICATIONS/LAND MOBILE, LLC)	EB Docket No. 11-71
)	File No. EB-09-IH-1751
)	FRN: 0013587779
Participant in Auction No. 61 and Licensee of Various Authorizations in the Wireless Radio Services)	
)	
Applicant for Modification of Various Authorizations in the Wireless Radio Services)	Application File Nos. 0004030479, 0004144435, 0004193028, 0004193328, 0004354053, 0004309872, 0004310060, 0004314903, 0004315013, 0004430505, 0004417199, 0004419431, 0004422320, 0004422329, 0004507921, 0004153701, 0004526264, 0004636537, and 0004604962
Applicant with ENCANA OIL AND GAS (USA), INC.; DUQUESNE LIGHT COMPANY; DCP MIDSTREAM, LP; JACKSON COUNTY RURAL MEMBERSHIP ELECTRIC COOPERATIVE; PUGET SOUND ENERGY, INC.; ENBRIDGE ENERGY COMPANY, INC.; INTERSTATE POWER AND LIGHT COMPANY; WISCONSIN POWER AND LIGHT COMPANY; DIXIE ELECTRIC MEMBERSHIP CORPORATION, INC.;)	
ATLAS PIPELINE – MID CONTINENT, LLC; DENTON COUNTY ELECTRIC COOPERATIVE, INC., DBA COSERV ELECTRIC; AND SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY)	

To: Marlene H. Dortch, Secretary
Attention: Chief Administrative Law Judge Richard L. Sippel

**ENFORCEMENT BUREAU'S STATEMENT CONCERNING THE PREHEARING
PROCEDURAL SCHEDULE**

1. On August 6, 2014, the Enforcement Bureau (Bureau) and Maritime
Communications/Land Mobile, LLC (Maritime) jointly proposed a prehearing schedule

identifying firm procedural deadlines and a hearing commencement date of December 9, 2014.¹ As the Presiding Judge recently acknowledged, this jointly proposed schedule took into consideration the Presiding Judge's interest in moving this case forward, as well as the Bureau and Maritime's scheduling concerns.² Environmental LLC and Verde Systems LLC (collectively, ENL-VSL) also filed a prehearing schedule on August 6, 2014, which the Presiding Judge subsequently rejected because it failed to include any firm dates for prehearing deadlines and disregarded the Presiding Judge's scheduling directives.³ The Presiding Judge ordered ENL-VSL to work with the other litigating parties and submit a revised schedule.⁴ The Bureau has conferred with counsel for ENL-VSL and has reviewed ENL-VSL's proposed schedule. The Bureau responds to ENL-VSL's proposal below.

2. ENL-VSL's schedule proposes the addition of a date certain (August 27, 2014) by which Maritime should submit evidence to the Presiding Judge that its surrender of certain of the site-based licenses as contemplated by the May 31, 2012 and December 2, 2013 joint stipulations is authorized by the Bankruptcy Plan. The Bureau does not oppose this addition to the prehearing schedule. However, even if the Presiding Judge were to add this deadline, the Bureau sees no reason to otherwise revise the schedule that it jointly submitted with Maritime on August 6, which the Bureau sets forth again below.

¹ See Joint Proposed Prehearing Schedule, filed Aug. 6, 2014, at 2-3, ¶¶ 2-3.

² See Order, FCC 14M-25 (ALJ, rel. Aug. 11, 2014) at 2.

³ See *id.* at 2-3.

⁴ See *id.* at 4. Originally, the Presiding Judge ordered ENL-VSL to submit a revised schedule by August 15, 2014. See *id.* The Presiding Judge subsequently extended that deadline until August 20, 2014. See Order, FCC 14M-26 (ALJ, rel. Aug. 13, 2014) at 2.

3. The Bureau and Maritime's Proposed Procedural Schedule

August 14, 2014	Discovery Period Closes
September 16, 2014	Direct case document exhibits, deposition designations and written direct testimony to be exchanged
September 30, 2014	Witness Notification for Cross Examination – exchange of witness lists
October 14, 2014	Objections to Witnesses for Cross Examination – exchange of witness lists
October 28, 2014	Objections filed to Direct Case Exhibits and/or testimony
October 31, 2014	Response filed to Objections to Direct Case Exhibits/ and or testimony
November 4, 2014	Evidence Admission Session – Presiding Judge to Rule on any unresolved Exhibit Objections
November 25, 2014	Trial Briefs of EB, Maritime, Havens to be exchanged
December 9, 2014	Hearing Commences

4. ENL-VSL's proposed schedule requests an additional discovery period that would not conclude until September 30, 2014. Although the Bureau does not itself need additional discovery to ensure that the record is complete on Issue (g), should the Presiding Judge decide to grant ENL-VSL's request to accommodate the concerns of ENL-VSL's new counsel, that change would obviously affect the schedule the Bureau and Maritime proposed on August 6. The Bureau agrees with ENL-VSL that there is insufficient time in the remaining calendar year for the parties to take additional discovery; to adequately consider any new evidence obtained during this additional discovery period; to prepare, review and respond to the requisite prehearing filings; and to commence the hearing. Accordingly, if the Presiding Judge grants ENL-VSL's request for an additional discovery period, the Bureau agrees with the proposed schedule it received from ENL-VSL – which, in relevant part, the Bureau sets forth below – extending the hearing commencement date until mid-January 2015.

5. ENL-VSL Proposed Procedural Schedule

September 30, 2014	Discovery Period Closes
October 21, 2014	Direct case document exhibits, deposition designations and written direct testimony to be exchanged
November 4, 2014	Witness Notification for Cross Examination – exchange of witness lists
November 18, 2014	Objections to Witnesses for Cross Examination – exchange of witness lists
December 2, 2014	Objections filed to Direct Case Exhibits and/or testimony
December 5, 2014	Response filed to Objections to Direct Case Exhibits/ and or testimony
December 9, 2014	Evidence Admission Session – Presiding Judge to Rule on any unresolved Exhibit Objections
December 23, 2014	Trial Briefs of EB, Maritime, Havens to be exchanged
January 13, 2015	Hearing Commences

Respectfully submitted,

Travis LeBlanc
Acting Chief, Enforcement Bureau



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Deputy Chief
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August 20, 2014

CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 20th day of August, 2014, sent by first class United States mail copies of the foregoing "ENFORCMENT BUREAU'S STATEMENT CONCERNING THE PREHEARING PROCEDURAL SCHEDULE" to:

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A handwritten signature in cursive script that reads "Alicia McCannon". The signature is written in black ink and is positioned above a horizontal line.

Alicia McCannon